

APPROVED

MINUTES

SELECTMEN'S MEETING
@Memorial Library Community Room

JANUARY 24, 2008
7:45 p.m.

A regular meeting of the Board of Selectman was called to order at 7:46 p.m. by First Selectman, Janet M. McCarty. Also present were Stephen A. Fontana, Second Selectman, and Michael J. Freda, Third Selectman

At this time, there were no public comments relative to the agenda.

Mr. Fontana moved to approve the minutes of the Special Selectmen's Meeting of December 17, 2007.
Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved to approve the minutes of the Board of Selectmen's Budget Workshop on January 10, 2008. Voted: McCarty – yes, Fontana – yes, Freda – yes

Ms. McCarty announced the resignation of Harriet Cxypoliski(D), 216 Quinnipiac Avenue #210, from the Commission on Aging.

Ms. McCarty announced the resignation of Pearl E. Merola(R), 555 Pool Road #302, from the Commission on Aging.

Ms. McCarty thanked them for their many years of service and noted that they will be missed.

A motion was made by Mr. Fontana to approve the following resolution regarding the Community Services Child Day Care Program:

RESOLVED: That the First Selectman, Janet M. McCarty, is empowered to enter into or amend contractual instruments in the name and on behalf of the Town of North Haven with the Department of Social Services of the State of Connecticut for a Child Day Care program if such an agreement is offered and to have the corporate seal affixed to all documents required as a part of any offered agreement.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Ms McCarty moved to sign a Call for a Special Town Meeting, to be held on Monday, February 4, 2008, at 7:00p.m. in the auditorium of North Haven Middle School, 55 Bailey Road, North Haven for the following purpose indicated:

To consider and act upon the recommendation of the Board of Finance to make an emergency appropriation to the Capital Account of the Fiscal Year 2007-2008 Budget of the following sums, to be taken from the unappropriated fund balance of the town for the purchase indicated:

- | | |
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| 1. To purchase one (1) replacement refuse truck for the Sanitation Division of Public Works | \$176,000 |
| 2. To purchase three (3) boilers to replace two (2) existing boilers for Clintonville School including removal and abatement | \$296,400 |
| 3. To purchase one (1) replacement bucket truck for the Traffic Division of the Police Department | \$65,000 |
| 4. To purchase one (1) replacement dump truck body for the Streets & Roads Division of Public Works | \$32,500 |

TOTAL \$569,900

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Freda presented information on the Clean Energy Task Force noting that the Board of Selectmen had previously passed a resolution at the February 2007 meeting that the Town of North Haven would commit to the goal of having 20% of its energy purchases come from clean, renewal sources by the year 2010. The Conservation Commission was designated as its clean energy task force to assist the Town to meet the 20% goal by 2010. It was now evident that the project would require a separate clean energy committee. He asked for volunteers to form a committee in order to give direction to accomplish the task. Any one interested should call the First Selectman's office at 239-5321 x760.

Ms. McCarty moved to take action on the motion concerning the retirement application of Vincent Palmeri under the Town of North Haven Amended and Restated Pension Plan for General Employees of the Town Government and the Department of Education as follows:

Whereas Vincent Palmeri was placed on administrative leave from the position of Finance Director after he was arrested on April 3, 2007 on charges of hindering prosecution in the third degree, tampering with evidence and conspiracy to tamper with physical evidence; and

Whereas Vincent Palmeri was arrested again on October 25, 2007 and charged with three counts of larceny in the second degree and stealing a firearm; and

Whereas Section 13.2 of the Town of North Haven Amended and Restated Pension Plan for General Employees of the Town Government and the Department of Education provides for the forfeiture of the retirement benefits of an employee whose employment is terminated for an act of fraud or dishonesty; and

Whereas on November 7, 2007, Vincent Palmeri requested to be retired from employment with the Town of North Haven effective November 30, 2007; and

Whereas Section 3.4 of the Pension Plan provides that each member eligible to retire must make written application for retirement at least 90 days prior to his intended retirement date; and

Whereas the 90th day after November 7, 2007 will be February 5, 2008; and

Whereas the evidence in the hands of the Office of the State's Attorney relating to the criminal charges against Vincent Palmeri has not been made available to the Town of North Haven; and

Whereas the criminal charges against Vincent Palmeri remain pending and unresolved without any indication of when they may be resolved; and

Whereas, as a consequence of these events, the Town of North Haven has not been able to conduct an appropriate hearing or to make proper findings concerning whether or not Vincent Palmeri has committed fraud or dishonesty during the course of his employment with the Town such that his employment should be terminated;

Therefore, the Board of Selectmen resolves:

1. That the Town of North Haven, as Plan Administrator of the Town of North Haven Amended and Restated Pension Plan for General Employees of the Town Government and the Department of Education, conditionally approve the application of Vincent Palmeri to retire under the Plan, effective as of February 5, 2008, subject to forfeiture of any and all payments and benefits due or becoming due to him from the Pension Fund pursuant to Section 13.2 of the Plan, if there is a finding of fraud and dishonesty committed during the course of employment.

2. That the Town of North Haven inform Vincent Palmeri, in a writing prepared by the Town Attorney, of the approval of his retirement application and of the possible forfeiture of any and all payments and benefits due or becoming due to him from the Pension Fund pursuant to Section 13.2 of the Plan, concerning fraud and dishonesty.

Ms McCarty explained that discussion would take place at the end of the meeting before public comments.

Voted: McCarty – yes, Fontana – yes, Freda - yes

Mr. Fontana moved to approve the following property tax refunds:

American Coin Merchandising Inc., 397 South Taylor Avenue, Louisville, CO 80027, in the amount of \$83.70

Roger Astmann, 11 Mansfield Road, North Haven, CT 06473, in the amount of \$33.09

Banc of America Leasing & Capital LLC, POB 105578 GA3-003-04-01, Atlanta, GA 30348, in the amount of \$80.64

Stephen & September-Ann Baraquin & Surv, 20 Virginia Road, North Haven, CT 06473, in the amount of \$86.10

Peter G. & Yang Bellacicco, Box 901, North Haven, CT 06473, in the amount of \$69.39

James J. Bode, 1 North Street, North Branford, CT 06471, in the amount of \$37.17

Joseph or Julia Cappetta, 31 Corey Road, North Haven, CT 06473, in the amount of \$15.14

Anthony or Carmela Cassella, 126 Culver Lane, North Haven, CT 06473, in the amount of \$84.93, and in the amount of \$11.58, and in the amount of \$11.76, and in the amount of \$74.33

Chase Manhattan Auto Finance Corp., 900 Stewart Avenue, Garden City, NY 11530, in the amount of \$28.68, and in the amount of \$246.51

Chase Manhattan Auto Finance Corp., Box 5210, New Hyde Park, NY 11042, in the amount of \$65.27, and in the amount of \$65.27

Chase Man Auto Fin Corp., PO BOX 29214, Phoenix, AZ 85038, in the amount of \$119.77

Ralph or Louise Cocco, 150 Maple Avenue, North Haven, CT 06473, in the amount of \$43.25

Lorna A. & Bruce W. Corriveau, 800SE 20th Avenue, Apt 303, Deerfield Beach, FL 33441, in the amount of \$12.97

DCFS Trust, Box 685, Roanoke, TX 76262, in the amount of \$571.82

Joseph or Linda D'Angelo, 59 Nida Drive, Northford, CT 06472, in the amount of \$483.52

DeFelice L G Inc., 30 Bernard Road, North Haven, CT 06473, in the amount of \$52.73, and in the amount of \$241.51, and in the amount of \$241.51, and in the amount of \$97.66, and in the amount of \$15.10, and in the amount of \$24.59, and in the amount of \$133.14, and in the amount of \$133.14, and in the amount of \$36.65, and in the amount of \$47.07, and in the amount of \$37.94, and in the amount of \$37.94, and in the amount of \$23.16, and in the amount of \$13.43, and the amount of \$17.80, and in the amount of \$115.46, and in the amount of \$29.76, and in the amount of \$23.45, and in the amount of \$135.61, and in the amount of \$73.82, and in the amount of \$146.32, and in the amount of \$68.07, and in the amount of \$288.57, and in the amount of \$60.62, and in the amount of \$60.62, and in the amount of \$60.62, and in the amount of \$68.07, and in the amount of \$68.07, and in the amount of \$68.07, and in the amount of \$537.27, and in the amount of \$73.82, and in the amount of \$52.73, and in the amount of \$60.62, and in the amount of \$60.62, and in the amount of \$60.62, and in the amount of \$113.50, and in the amount of \$7.38, and in the amount of \$7.18, and in the amount of \$35.16, and in the amount of \$99.64, and in the amount of \$18.11, and in the amount of \$52.73, and in the amount of \$49.71, and in the amount of \$11.40, and in the amount of \$81.79, and in the amount of \$62.39, and in the amount of \$51.00, and in the amount of \$17.80, and in the amount of \$14.32, and in the amount of \$14.32, and in the amount of \$38.32, and in the amount of \$35.16, and in the amount of \$64.57, and in the amount of \$79.50, and in the amount of \$652.06, and in the amount of \$60.62, and in the amount of \$35.16, and in the amount of \$63.92, and in the amount of

\$63.92, and in the amount of \$63.92, and in the amount of \$60.62, and in the amount of \$60.62, and in the amount of \$45.83, and in the amount of \$45.83, and in the amount of \$42.04, and in the amount of \$42.04, and in the amount of \$99.64, and in the amount of \$12.74, and in the amount of \$150.54, and in the amount of \$351.57, and in the amount of \$17.31, and in the amount of \$38.32, and in the amount of \$42.19, and in the amount of \$18.57, and in the amount of \$192.75

Deron D. Delvasto, 1 Rance Court, North Haven, CT 06473, in the amount of \$18.37

Joseph DiMartino Jr., 10 Papa Lane, North Haven, CT 06473, in the amount of \$22.77

Charles J. or Ann Marie Doyle, 53A Pool Road, North Haven, CT 06473, in the amount of \$76.32

Edart Leasing Co LLC, Edart Truck Rental C, PO Box 234, Hartford, CT 06141, in the amount of \$36.46

Edart Truck Leasing Corp, Box 234, 185W Serv Road, Hartford, CT 06141, in the amount of \$130.68

Robert Farley, 201 Maple Avenue, North Haven, CT 06473, in the amount of \$30.89

Jean R. Foley, 4 Sonne Drive, North Haven, CT 06473, in the amount of \$62.99, and in the amount of \$42.00

Honda Lease Trust, 600 Kelly Way, Holyoke, MA 01040, in the amount of \$74.34

Honda Lease Trust, 470 Granby Road Ste 2, South Hadley, MA 01075, in the amount of \$253.09, and in the amount of \$60.12, and in the amount of \$65.25

Joseph J. & Patricia C. Ierardi & Surv, 34 Fieldstone Court, North Haven, CT 06473, in the amount of \$86.10

J L T Associates Inc., 81 Randall Drive, North Haven, CT 06473, in the amount of \$6.39

Kelly Enterprises Inc., 50 United Drive, North Haven, CT 06473, in the amount of \$4.10

Daniel T. Knudsen, 1401 Hartford Turnpike, North Haven, CT 06473, in the amount of \$11.14

Carl C. Sr. or Angelina Lamb, 240 Clintonville Lane, North Haven, CT 06473, in the amount of \$76.32

Phyllis M. Magistro, 5 Mill Road, North Haven, CT 06473, in the amount of \$35.11

Charles W. Matakaetis III & Patricia Gurney-Skeean & Surv, 80 Grove Road, North Haven, CT 06473, in the amount of \$403.16

Thomas P. Neville, 47 Susan Lane, North Haven, CT 06473, in the amount of \$2.92

Nissan Infiniti LT, Box 650214, Dallas, TX 75265, in the amount of \$101.80

Nissan Infiniti LT, Box 390889, Minneapolis, MN 55439, in the amount of \$118.41, and in the amount of \$125.31

Nissan Infiniti LT, Box 254648, Sacramento, CA 95865, in the amount of \$288.10, and in the amount of \$122.21, and in the amount of \$170.86, and in the amount of \$73.27, and in the amount of \$96.03, and in the amount of \$117.59, and in the amount of \$73.37, and in the amount of \$147.25, and in the amount of \$24.32, and in the amount of \$146.54, and in the amount of \$24.32, and in the amount of \$24.42

Gregory G. Okoniewski, 11 Benedict Drive, North Haven, CT 06473, in the amount of \$21.11

Lee M. Partyka, 376 Mansfield Road, North Haven, CT 06473, in the amount of \$225.91

Mary Perna, 216 Quinnipiac Avenue, Unit 211, North Haven, CT 06473, in the amount of \$763.77

James or Ann Marie Piscitelli, 43 Fallon Drive, North Haven, CT 06473, in the amount of \$105.64

Alicia Richitelli, 66 Winchester Drive, North Haven, CT 06473, in the amount of \$229.17

Russell C. Robertson Jr., 37107 N. Timothy Road, Deer Park, WA 99006, in the amount of \$11.10

Nanette Rosado, 194 Quinnipiac Avenue #1-E, North Haven, CT 06473, in the amount of \$37.06

Stephanie Rotondo, 93 Grove Road, North Haven, CT 06473, in the amount of \$15.57

Ryder Truck Rental LT, 99 Murphy Road, Hartford, CT 06114, in the amount of \$66.76, and in the amount of \$16.64, and in the amount of \$117.33

Ryder Truck Rental LT, Mercedes Benz Cred C, 99 Murphy Road, Hartford, CT 06114, in the amount of \$33.10

Ralph & Anita Santora & Surv, 26 Summer Lane, North Haven, CT 06473, in the amount of \$190.20, and in the amount of \$200.42, and in the amount of \$227.02

Tom Sardillo, 38 Melissa Drive, North Haven, CT 06473, in the amount of \$5.85

Patrick L Schmidt, 177 N. Main Street #8, North Brookfield, MA 01535, in the amount of \$46.68

Wilfred M. Sealy, 153 Second Street, Hamden, CT 06514, in the amount of \$127.61

George E. or Linda E. Silk, 27 Bridgeview Road, North Haven, CT 06473, in the amount of \$164.65

Hans N. Strilbyckij or Dominic Scarpa, 15 Cindy Lane, North Haven, CT 06473, in the amount of \$206.49

2 Dwight Street Associates, LLC, 375 Washington Avenue, North Haven, CT 06473, in the amount of \$2,949.02

Robert P. Testa, 72 Manomet Avenue, North Haven, CT 06473, in the amount of \$19.02

Michael J. Tortora Jr., 8 Pleasant Drive, North Haven, CT 06473, in the amount of \$2.96

Toyota Motor Credit Corp., Box 105386, Atlanta, GA 30348, in the amount of \$261.93, and in the amount of \$187.97, and in the amount of \$88.33, and in the amount of \$33.48, and in the amount of \$48.00, and in the amount of \$82.25, and in the amount of \$145.44, and in the amount of \$615.14

Tradon LLC, 59 Old Broadway E, North Haven, CT 06473, in the amount of \$600.69, and in the amount of \$732.51

Arthur R. or Lorraine Tramontano, 55 Sentinel Hill Road, North Haven, CT 06473, in the amount of \$5.57

United Aluminum Corp., 100 United Drive, North Haven, CT 06473, in the amount of \$1,483.96

VW Credit Leasing LTD, 1401 Franklin Blvd., Libertyville, IL 60048, in the amount of \$220.18, and in the amount of \$606.72, and in the amount of \$445.23, and in the amount of \$231.91

Valenti Leasing Co.Inc., 399 No. Colony Street, Wallingford, CT 06492, in the amount of \$516.94

Arlene F. VanDerMaelen, 15 Cedar Avenue, North Haven, CT 06473, in the amount of \$10.94

Ralph A. III or Maria V. Volpe, 1 Canterbury Way, North Haven, CT 06473, in the amount of \$8.88

Rebecca L. Wayne, 1218 Madison Drive, Adrian, MI 49221, in the amount of \$82.76

Wheels, Inc., 666 Garland Place, Des Plaine, IL 60016, in the amount of \$177.37, and in the amount of \$186.22, and in the amount of \$198.69, and in the amount of \$128.67

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved to approve the following bond releases, as recommended by the Planning & Zoning Commission:

Sackett Point Developers, LLC, 67 Sackett Point Road, North Haven, CT 06473, Total release in the amount of \$12,000.00 with the recommendation of the Planning & Zoning Commission

Aku Akhand, 1915 Hartford Turnpike, North Haven, CT 06473, Total release in the amount of \$20,000.00 with the recommendation of the Planning & Zoning Commission

Hafiza Naheed, 419 Washington Avenue, North Haven, CT 06473, Total release in the amount of \$5,000.00 with the recommendation of the Planning & Zoning Commission

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved the reappointment of Stephen J. Fitzgerald, 34 River Road, to the Open Space Advisory Committee, term to expire 12/31/09.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved the reappointment of Jeremy J. Bykowski, 175 Clintonville Road, as an auditor of North Haven Land Records, effective 2-15-08, term to expire 2/15/10.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved the appointment of James C. Moyer, 336 Forbes Avenue, New Haven, as an auditor of North Haven Land Records, effective 2-15-08, term to expire 2/15/10.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana moved the appointment of Deborah L. Moore (D), 155 Ridgewood Avenue, to the Economic Development Commission, term to expire 12/31/10.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Mr. Fontana announced the appointment of Michelle L. Spader (D), 15 Leighton Court, to the position of Democratic Deputy Registrar of Voters.

Voted: McCarty – yes, Fontana – yes, Freda – yes

Ms. McCarty addressed the motion that was passed regarding the retirement of Vincent Palmeri. She noted that North Haven has been burdened with unusual and restrictive pension and personnel policy provisions concerning department heads that were adopted by the previous Republican administrations, inherited by the current administration and left no practical option beyond what is being done regarding Vincent Palmeri's retirement. She continued that she has asked the town attorneys to review the policy manual and pension plan for department heads and to submit recommendations to remove unwise and improper restrictions. She made it clear that she will move forward to repair, seek out and investigate any and all damage by abuses of power. She stated that it's time to concentrate on the business of the people and to close the book on this unfortunate chapter of our town's history. She closed by thanking the Board for the unanimous approval of the resolution.

Mr. Freda explained that he had met with the town attorneys and had concluded that approving this resolution was the correct course of action. He spoke of his involvement with similar cases at his workplace and that he had reviewed cases dealing with the 5th and 14th amendments regarding due process. He concluded that there would have been a greater risk to the town if this action were not taken.

Mr. Fontana thanked the Board members and the attorneys for researching this issue. He noted that the Board was constrained by laws, rules and ordinances in North Haven and that greater clarity could be provided once weaknesses and ambiguities in town personnel policies and the pension plan were amended. He also hoped that this action would close this chapter in North Haven's history so we can move on.

The board entertained comments from the public.

Michael Russo, North Haven Citizen asked if the Board examined the option of Mr. Palmeri forfeiting some of his pension benefits. He was told that it had.

Ann DeMatteo, New Haven Register, inquired about the amount of the pension and was told that it would be 80% of Mr. Palmeri's salary of \$104,562, totaling almost \$7,000 a month.

Sherman Katz, 40 Sherwood Drive, wanted to know the total of property tax refunds and why they were issued. There were 177 property tax refunds approved and the total had not been computed. Mr. Katz was told he could obtain a copy if desired.

Carolyn Wright, 100 Warner Road, wanted to know if this was the same action that was taken when the Ierardis retired. Ms. McCarty noted that Mr. Palmeri's letter requesting resignation was received on November 8 but that Mr. Kopetz had taken no steps to separate Mr. Palmeri from the town.

Veronica Kivela, 70 Drazen Drive, asked Steve Fontana if it was legal and served the public interest for him to hold both the offices of Second Selectman and State Representative. Mr. Fontana noted he was elected to both positions and felt he brings positive change to the town. He stated that he would be running for re-election as State Representative and it would be up to the residents of the town to determine whether or not they want him to remain in office.

Antoinetta Carmody, 159 Upper State Street, noted that Ms. McCarty campaigned to fire Vincent Palmeri and did not follow through. She stated that now Ms. McCarty had to listen to the law and blame town policies which was a 360° turn. Ms. McCarty explained that Mr. Palmeri resigned the day after the election and therefore her campaign promise was achieved simply by her being elected. Again, she reminded everyone that Mr. Palmeri's retirement request was not acted upon by the previous administration.

Michael Mele, 109 Maple Avenue, stated that the option to fire Mr. Palmeri was taken away when he submitted his retirement request.

Florence Sinow, 18 Maple Avenue, noted that this was an unhappy event in the town's history and recommended we put it behind us and look to the future.

Mildred Stankiewicz, 100 Blakeslee Avenue, understood that no action could be taken for 90 days and therefore it was her understanding that the previous administration could not do anything since they were out of office before the 90 day period of time. She was corrected that any action would have to be taken by the 90th day or there would be consequences.

Timothy Doheny, 19 Knight Lane, noted that we are holding back \$157,000 from the Ierardis and wondered what we were holding back from Mr. Palmeri.

Ms. McCarty explained that all benefits were looked at. Mr. Palmeri was given sick pay for 40 days when he was not sick, a decision made by the former First Selectman, who discontinued the sick pay after the second arrest without further explanation. It was noted that Mr. Palmeri has 80 days sick pay left that will be paid, but all personal and vacation days had been used by him between May and August.

Ms. McCarty announced that the next meeting of the Board of Selectmen will take place on Wednesday, February 13, 2008 at 7:00p.m. in the Library Community Room.

The regular Board of Selectmen's Meeting will be held the first Thursday of the month at 7:00p.m. in the Library Community Room, unless otherwise noticed.

Mr. Fontana noted that the Board looks to accommodate every member's schedule and it might be necessary to change the date and time of the meeting to make this happen.

There being no further business to come before the Board, Ms. McCarty moved for adjournment at 8:30 p.m. Voted: McCarty – yes, Fontana – yes, Freda - yes

